

February 24, 2023
The Honorable Michael H Simon
US District Court
District of Oregon
Portland OR 97204

Dear Judge Simon,

Thank you for the opportunity to present written testimony for the upcoming status conference in the ongoing case of United States of America vs The City of Portland.

In my opinion the current bright spot in these matters is how the PCCEP has stepped up in representing the community in the matter of requesting the appointment of an independent monitor when the current COCL retires in June 2023. While it is understood that the DOJ would have to be the party requesting you to appoint an independent monitor the PCCEP has studied this matter thoroughly, had several lengthy discussions and prepared a well thought out document supporting their request for an independent monitor. It is my understanding that this document has been sent to the DOJ and to you for consideration. As a member of the community I feel well represented by the PCCEP's request.

When it comes to an independent monitor, police body cameras and a timely resolution of the training slide issue I feel very discouraged. While I understand the desirability perhaps long term of the DOJ and the City coming to an agreement regarding the appointment of an independent monitor I think this continuing mediation is likely to miss an opportunity for a smooth transition from a COCL to an independent monitor at the end of June 2023. I understand that the City may be weary of change and in my opinion the City for the benefit of the community needs to risk a change without going through the process and transition required in getting another COCL while they continue to mediate with the DOJ on a request for the appointment of an independent monitor. The community has waited long enough.

As to police body cameras, the City and police union impasse in bargaining resulting in this matter going to a state arbitrator is another loss for the community. In my opinion the community has been very clear that if we are to have police body cameras it is important that incidents that involve use of deadly force by police or when someone dies while in police custody, officers wouldn't be allowed to view the body camera footage until after they are questioned and have written their reports. While the union has apparently been arguing that this is not the practice in most city police departments I think there needs to be an understanding that what other departments are doing is not necessarily best practice. And further I think there needs to be an understanding that in Portland the practice outlined above for deadly force or death in police custody incidents could go a long way in regaining community trust in the police.

While the training slide issue was reported as resolved this week, I think the time it has taken is unacceptable. Again the community has not been well served and an opportunity for trust building has been lost.

My hope is that your words and actions at the status conference will get the parties more connected with what the community is seeking in being served and protected with accountability.

Thank you,

Ann Brayfield